

IN THE UNITED STATES DISTRICT COURT FOR THE
WESTERN DISTRICT STATE OF OKLAHOMA

(1)	APRIL LAYTON, as personal)
	representative of the Estate of)
	Charles Holdstock, deceased,)
(2)	APRIL LAYTON, individually,)
(3)	VALERIE WINFREY, individually, and)
(4)	MELANIE HUFNAGAL, individually)
)
	Plaintiffs,)
)
vs.) NO. CIV -2009 -1208C
)
(1)	CORRECTIONAL HEALTHCARE)
	MANAGEMENT OF OKLAHOMA,)
	INC., a corporation,)
(2)	THE BOARD OF COUNTY)
	COMMISSIONERS OF OKLAHOMA)
	COUNTY, a Political Subdivision of)
	the State of Oklahoma, and)
(3)	JOHN WHETSEL, individually and in)
	his capacity as Sheriff of Oklahoma)
	County.)
)
	Defendants.)

**PLAINTIFFS' OBJECTION TO THE DEFENDANT'S
PROPOSED MOTION IN VOIR DIRE**

COMES NOW the Plaintiffs, and object to the following Voir Dire proposed by Defendants in [Doc 171].

1, Defendant's Voir Dire question No. 10 subpart 2 is improper: "Did the failure of performance cause any additional problems to any other parties outside of that contract?"

Asking the jury to speculate on how third parties may have been affected by a lawsuit the third parties were not involved in is speculation and improper voir dire questioning.

Jury Instructions will set forth CHMO's relationship to Defendants and their responsibility as to how CHMO acted or failed to act. Question No. 10 subpart 2 appears to be an attempt to sway jurors away from the law and to discuss how "failure of performance" of contracts may affect others.

2. Defendants proposed questions 3 and 4 Plaintiffs believe are detailed questioning of medical that many persons would be reluctant to disclose in public. If Defendants truly believe they need such information Plaintiffs propose some type of efforts be made to prevent public disclosure or juror's medical history.

WHEREFORE, Plaintiffs ask the Court to strike Defendant's Question No. 10 and to limit or strike Questions 3 and 4.

/s/ E. W. Keller

E. W. Keller, (OBA# 4918)

KELLER, KELLER & DALTON

119 N. Robinson, Suite 825

Oklahoma City, Oklahoma 73102

(405) 235-6693

(405) 232-3301 Facsimile

E-Mail kkd.law@coxinet.net

CERTIFICATE OF SERVICE

I hereby certify that on the 23rd day of November, 2013, I electronically transmitted the attached document to the Clerk of the Court using the ECF System for

filing. Based on the records currently on file, the Clerk of the Court will transmit a Notice of Electronic Filing to the following ECF registrants:

Ms. Sandi Elliott

dasanell@oklahomacounty.org

Ms. Lisa Endres

dalisend@oklahomacounty.org

/s/ E. W. Keller